

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

THE TRANSPARENCY PROJECT,	§	
	§	
Plaintiff,	§	CIVIL ACTION No. 4:20CV468
	§	
v.	§	
	§	
U.S. DEPARTMENT OF JUSTICE,	§	JUDGE AMOS L. MAZZANT, III
	§	
Defendant.	§	

**DEFENDANT’S ORIGINAL ANSWER  
AND AFFIRMATIVE DEFENSES**

Defendant, the United States Department of Justice (“DOJ”), hereby answers the numbered paragraphs of the Original Complaint filed by Plaintiff, The Transparency Project,. (ECF No. 1), as follows:

**I.  
JURISDICTION AND VENUE**

1. This paragraph contains Plaintiff’s conclusions of law regarding jurisdiction, to which no response is required.
2. This paragraph contains Plaintiff’s conclusions of law regarding venue, to which no response is required.

**II.  
PARTIES**

3. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph.

4. Defendant admits the first and third sentences of this paragraph. The second sentence consists of Plaintiff's legal conclusions, to which no response is required.

#### **STATEMENT OF FACTS**

5. As to the first three sentences of paragraph 5, Defendant admits only that DOJ received a FOIA request from Plaintiff dated March 13, 2018. The request speaks for itself, and Defendant respectfully refers the Court to it for a full and accurate statement of its contents. As to the final sentence of paragraph 5, Defendant admits DOJ sent an acknowledgement letter to Plaintiff dated May 9, 2018. Defendant admits DOJ has not issued a final determination regarding Plaintiff's March 13, 2018 FOIA request.

#### **IV. COUNT I**

6. Defendant incorporates its responses to all prior paragraphs as if fully stated herein.

7. Denied.

#### **V. REQUEST FOR RELIEF**

8. This paragraph sets forth Plaintiff's request for relief to which no response is necessary. To the extent that any portion of this paragraph is deemed to contain an allegation of fact or a response is deemed necessary, Defendant denies those allegations.

**AFFIRMATIVE DEFENSES**

1. Plaintiff is not entitled to compel the production of records or information exempt from disclosure under FOIA. *See* 5 U.S.C. § 552(b).
2. Plaintiff is not entitled to remedies beyond what is provided for in the FOIA. *See* 5. U.S.C. § 552.

Respectfully submitted,

STEPHEN J. COX  
UNITED STATES ATTORNEY

/s/ **Andrea L. Parker**  
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**CERTIFICATE OF SERVICE**

I hereby certify that on October 1, 2020, a true and correct copy of the foregoing *Defendants' Original Answer and Affirmative Defenses* has been sent to counsel of record via the court's electronic filing system.

/s/ **Andrea L. Parker**  
ANDREA L. PARKER  
Assistant United States Attorney